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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN JOHN SARGISSON,

Defendant.

CASE NO. 2:22-CR-16-DC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
~~[PROPOSED]~~ ORDER

DATE: August 29, 2025
TIME: 9:30 a.m.
COURT: Hon. Dena M. Coggins

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 29, 2025.
2. By this stipulation, defendant moves to continue the status conference until September 26, 2025, at 9:30 a.m., and to exclude time between August 29, 2025, and September 26, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government is continuing its efforts to access the data from a DVR of security camera footage that the defense has requested. It is the government's understanding that the data on the device is locked and the parties are conferring about the best way to access the data. The parties will need further time to extract the data, at which time defense counsel will

1 determine whether or not further investigation is necessary.

2 b) In addition, defense counsel is currently in a trial which is anticipated to run
3 through the date for which the current status conference is set, adding to the need for a
4 continuance.

5 c) The government has represented that the discovery associated with this case
6 includes investigative reports and photographs, which the government has produced directly to
7 counsel. There is also physical evidence in the form of the firearms in question, which the
8 government has available for inspection, and will likewise make any other physical evidence
9 available for inspection.

10 d) Defense counsel desires additional time to review the discovery produced, as well
11 as the anticipated discovery mentioned above, to consult with his client, to conduct investigation
12 and research related to the current charges, to discuss potential resolutions to this matter, and to
13 otherwise prepare for trial.

14 e) Counsel for defendant believes that failure to grant the above-requested
15 continuance would deny him/her the reasonable time necessary for effective preparation, taking
16 into account the exercise of due diligence.

17 f) The government does not object to the continuance.

18 g) Based on the above-stated findings, the ends of justice served by continuing the
19 case as requested outweigh the interest of the public and the defendant in a trial within the
20 original date prescribed by the Speedy Trial Act.

21 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
22 et seq., within which trial must commence, the time period of August 29, 2025 to September 26,
23 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
24 T4] because it results from a continuance granted by the Court at defendant's request on the basis
25 of the Court's finding that the ends of justice served by taking such action outweigh the best
26 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 21, 2025

ERIC GRANT
United States Attorney

/s/ JAMES R. CONOLLY
JAMES R. CONOLLY
Assistant United States Attorney

Dated: August 21, 2025


/s/ MARIO TAFUR
MARIO TAFUR
Counsel for Defendant
BENJAMIN JOHN SARGISSON

ORDER

The court, having received, read and considered the parties' stipulation and good cause appearing therefrom, APPROVES the parties' stipulation. Accordingly, the Status Conference scheduled for August 29, 2025, is VACATED and RESET for September 26, 2025, at 9:30 a.m. in Courtroom 10 before the Honorable Dena M. Coggins. The time period between August 29, 2025 and September 26, 2025, inclusive, is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), and B(iv) [Local Code T4], as the ends of justice served by granting the continuance outweigh the best interest of the public and the defendants in a speedy trial.

IT IS SO ORDERED.

Dated: August 22, 2025


Dena Coggins
United States District Judge